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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,681	03/07/2002	Johnny Warnelov	INTSER P28AUS	9289
20210	7590	03/26/2004	EXAMINER	
DAVIS & BUJOLD, P.L.L.C. FOURTH FLOOR 500 N. COMMERCIAL STREET MANCHESTER, NH 03101-1151			TWEEL JR, JOHN ALEXANDER	
			ART UNIT	PAPER NUMBER
			2636	5
DATE MAILED: 03/26/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/070,681

Applicant(s)

WARNELOV, JOHNNY

Examiner

John A. Tweel, Jr.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4 is/are allowed.
- 6) ☒ Claim(s) 1-3,5 and 6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to because the indicator for the control center (No. 4) does not possess a descriptive label referring to it as such. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. The abstract of the disclosure is objected to because the first sheet of the International Publication is not the correct form for an Abstract. A new Abstract on a separate sheet is required. Correction is required. See MPEP § 608.01(b).

3. The disclosure is objected to because of the following informalities:

- The preliminary amendment filed 3/7/02 amending the specification and replacing the claims was not entered. The amendments to the specification referred to paragraph numbers that are not present in the application. The amendment to the claims canceled claims 1-10 while the specification currently has only 6 claims. The following notes are made based upon the specification as originally filed.

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- There are no headings such as Background of the Invention and Detailed Description of the Invention.
- Page 1, Lines 8 and 12 and elsewhere: The abbreviation "e.g." has been overused and is not needed in these locations and elsewhere.
- Page 6, Line 5: The abbreviation "i.a." is incorrect. The correct abbreviation should read "i.e."
- Page 6, Line 12: The word --After-- has been misspelled as "Efter".
Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter that the applicant regards as his invention.

5. Claims 1-3, 5, and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1-3, the phrase "or the like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Regarding claim 1, 2, 5, and 6, the phrase "for example" (written as "e.g.") renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim 1 recites the limitation "said local control unit" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "said unit" in line 11. There is insufficient antecedent basis for this limitation in the claim.

6. Claim 4 is allowed.

7. The following is a statement of reasons for the indication of allowable subject matter:

The specific method detailed in claim 1 is actually sufficiently detailed to merit patentability. The above rejections must be addressed; however, before the claims may be allowed. The prior art does not recite the specific relationships between the keys, control unit and control center as read in the independent claim.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Peters et al [U.S. 4,661,806] controls access to several keys and keyholders by recording the return of the keys to the keyholder.

Welch, Sr. [U.S. 4,691,504] uses an inclined storage receptacle for a plurality of keys.

Saliga [U.S. 5,038,023] uses a locked storage module with a drawer.

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Maloney [U.S. 6,317,044] tracks a plurality of keys having a plurality of tags thereon.

Maloney [U.S. 6,501,379] uses an LED on each of the trackable objects.


Holmes [U.S. 6,648,153] presents a supply cabinet with inventory sensors.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John A. Tweel, Jr. whose telephone number is 703 308 7826. The examiner can normally be reached on M-F 10-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass can be reached on 703 305 4717. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305 3900.

JAT
3/20/04


JOHN TWEEL
PRIMARY EXAMINER